



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3001948
Applicant Name: Christopher Vanvick
Address of Proposal: 5408 Beach Drive SW

SUMMARY OF PROPOSED ACTION

Land Use Application to divide one parcel into two (2) parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 8,940 square feet and B) 7,200 square feet. The existing structures on proposed Parcel A are proposed to remain.

The following approval is required:

Short Subdivision - to divide one parcel into two (2) parcels of land.
(SMC Chapter 23.24)

SEPA - Environmental Critical Area (SMC Chapter 25.09.080) – Landslide-prone

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

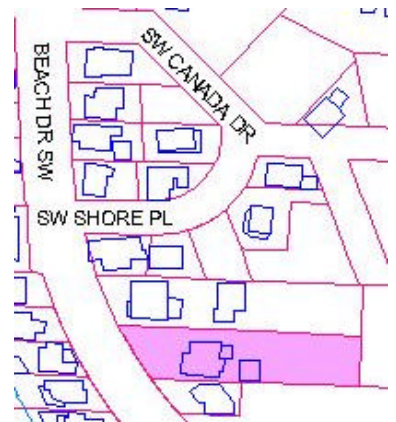
BACKGROUND DATA

Site Description

The site is located along the west side of Beach Drive SW just south of SW Shore Place. . The site has 40% slope at the eastern edge which will not be disturbed. The existing house is located on the new parcel A and a new structure may be proposed, in a separate permit, on parcel B located to the rear of the property.

Area Development

Zoning in the immediate vicinity is Residential, Single Family (SF 7200).



Proposal Description

The applicant proposes to divide one parcel into two (2) parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 8,940 square feet, and B) 7,200 square feet. The Existing structures on parcel A are proposed to remain.

Public Comments

One comment letter was received during the official public comment period which ended January 17, 2007. The letters voiced concern that there are sometimes too many cars parked in the area.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.54.010;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans zoning review, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned Single family 7200 (SF 7200). As such, future development of individual lots must comply with the development and use requirements of SMC Chapter 23.44. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The proposed parcels will have vehicular access via Beach Drive SW. The Seattle Fire Department has conditions of approval to the proposed short plat in order to meet the Fire Departments regulations for access to the site. Seattle City Light reviewed the proposal and requires and overhead underground power easement over the North 16.00 feet of Parcel A and the South 9.90 feet of Parcel A. With these corrections the short plat will provide for adequate access for vehicles, utilities, and fire protection.

3. This area is served with domestic water, sanitary sewer, and storm drain and sanitary sewage facilities by the City of Seattle. The Water availability certificate is number 20070330.
4. The subdivision of this residential site into two (2) lots will be in character with the development pattern, lot sizes, or streetscape pattern in the vicinity and will provide additional lots for development. The public uses and interests are served by permitting the proposed subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The proposal site contains identified Landslide-prone Environmentally Critical Areas as defined in Seattle Municipal Code Chapter 25.09. The ECA general, submittal, and Landslide-prone Development Standards and other related development standards are applicable. This shall be noted on the final plat. Short subdivisions in Environmentally Critical Areas must meet requirements of SMC 25.09.240 (A-E). This application meets the requirements.

6. The project is designed to maximize the retention of existing trees.
7. This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

ANALYSIS- SEPA

The initial disclosure of the potential impacts from this project was made in the Environmental Checklist dated December 15, 2006, which was submitted by the applicant and annotated by the reviewer. The information provided in the Environmental Checklist, the plans submitted by the applicant, and the experience of the lead agency with the review of similar projects are the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665(D)) states, *“Where City regulations have been adopted to address environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,”* subject to some limitations. Under such limitations, mitigations may be considered.

Long Term Impacts

Long term or use-related impacts are anticipated as a result of the proposal. The anticipated long-term impacts will be possible water runoff effect from new impervious surfaces, soil disturbance due to new construction. These impacts are not considered significant. Adopted City codes and/or ordinances provide mitigation for the identified impacts. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of these long-term impacts and no further conditioning is warranted by SEPA policies.

Water

Proposed parcels will have increased impervious surface from access driveways and the area of the structure. The water runoff from these sources will be tight lined into the City storm drainage system thereby avoiding impacts on the land. The Land Use Code provides extensive conditioning authority to mitigate the impacts of storm water from development on surrounding areas, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Plants

Prior to issuance of the Master Use Permit, the proposal will be required to be consistent with all applicable provisions of the Land Use Code relating to tree preservation and/or, replacement. The Land Use Code provides extensive conditioning authority to mitigate the impacts of development on tree preservation; therefore, no additional conditioning is warranted pursuant to SEPA policies.

DECISION - SEPA

This decision is made after review by the responsible official on behalf of the lead agency, in addition to a completed environmental checklist and other information on file with DPD. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined not to have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2)(c).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

CONDITIONS – SEPA

None.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Record a covenant that restricts development to the area designated on the site plan for disturbance. The covenant shall show the location of permanent ECA markers and provide for their maintenance by the property owners or other responsible parties. The covenant shall be in the form given to the applicant by DPD.
2. Permanent visible markers must be placed along the edge of the nondisturbance area as approved on the site plan. The markers shall be either reinforcing steel or metal pipe driven securely into the ground with a brass cap affixed to the top similar to survey monuments. The brass cap shall be visible at the ground surface and indicate the purpose of the marker. Markers shall be placed at all points along the edge of the nondisturbance line where the line changes direction. Markers must be in place before issuance of this Master Use permit.
3. Remove from the face of the plat the required front, side and rear yard line notes.
4. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor.
5. Submit the recording forms for approval.

6. Add the Seattle Fire Department conditions of approval to the proposed short plat in order to meet the Fire Departments regulations for access to the site.
7. Add the Seattle City Light easements to the plat.

Signature: (signature on file) Date: May 3, 2007
Holly J. Godard, Land Use Planner
Department of Planning and Development

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